



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,291	11/20/2001	Takashi Yamaguchi	F-7228	9542

28107 7590 05/04/2004
JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK, NY 10168

EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary	Applicati n N .	Applicant(s)	
	09/989,291	YAMAGUCHI ET AL.	
	Examiner	Art Unit	
	Thu Nguyen	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 November 2001.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Objections

2. Claim 14 is objected to because of the following informalities:
 - a. In claim 14, lines 6-7, the claimed "the identification information" should be corrected to "the identification information".
 - b. In claim 14, line 11, the claimed "the received data" should be corrected to "received data".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3661

4. Claims 1-2, 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jicha et al (US 6,175,784).

As per claim 1-2, Jicha teaches a system for remote controlling a drive. The system comprises: a transmitter that generates id information, operation control information, and that transmits the data using a transmission device (col.7, lines 45-62; col.5, lines 49-67; col.6, lines 1-3); the drive comprises: a reception device; a storage device; a first discrimination device for discriminating whether the received data for operation control of for changing the identification information and a second discrimination device for comparing the id information with the stored id information, a control device for executing the operation control and an identification change device for changing the id information stored in the storage device (col.4, lines 7-15; col.7, lines 45-67; col.8, lines 1-3; col.11, lines 8-17). Jicha does not explicitly teach providing discrimination information. However, Jicha teaches providing a controlling operation which indicated a change of id information or a command of operation (col.7, lines 45-62; col.8, lines 1-3). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to separate the input command of Jicha into separate operation control information and discrimination information since separating a command into different data information according to the allocated length of the message and complexity of the command requires only routine skill in the art.

As per claim 4-5, accepting and changing information when such the information meets a specific condition; storing data in nonvolatile memory would have been known.

Art Unit: 3661

As per claim 6-11, refer to claims 1-3 above.

5. Claims 3, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jicha et al (US 6,175,784) in view of Seki (US 6,037,858).

As per claim 3, Jicha teaches the capability of changing stored id information according to the user's input and the second discrimination unit capable of discriminating the message being transmitted to the specified drive itself (col.7, lines 45-67; col.8, lines 1-3), and Seki teaches including a plurality of transmitters with the capability of distinguishing a transmitter from each other, and the capability of changing the transmitter specifying information (col.6, lines 52-65; col.7-col.8, lines 1-57). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a plurality of transmitters to the system of Jicha, to store the id of the transmitters to the storage device of a plurality of drives, and to include the capability of recognizing a specific transmitter and a specific drive to be communicating with each other in order to facilitate communicating and controlling the a plurality of drives with a plurality of transmitters.

As per claim 12-14, refer to claims 1 and 3 above.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 3661

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

Or:


(703) 305-7687 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451
Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The
examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Thomas Black, can be reached on (703) 305-8233. The fax phone number for this
Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 308-1111.



**THU V. NGUYEN
PRIMARY EXAMINER**

April 2, 2004